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C O N F I D E N T I A L ASUNCION 001332

SIPDIS

E.O. 12958: DECL: 10/21/2015  
TAGS: [KCRM](#) [KWMN](#) [PHUM](#) [SMIG](#) [PREL](#) [PA](#)  
SUBJECT: PARAGUAY: TIP TIER 2 ACTION PLAN

REF: STATE 191670

Classified By: PolOff Sterling Tilley, reasons 1.4(b) and (d).

¶1. (U) On 10/18, POLOFF delivered reftel points on the Paraguay TIP Tier 2 Action Plan to Julio Peralta, Director of International Organizations within the Ministry of Foreign Affairs. Peralta indicated that he would review and discuss the issue with his colleagues at the Ministry of Foreign Affairs and the respective governmental entities with responsibilities on this topic.

¶2. (SBU) On 10/19, the DCM spoke with Ruben Candia Amarilla, the new Attorney General, about the Villarica TIP case. In December 2004, Raul Antonio Maidana Duarte and Mario Ramon Gonzalez Caceres were convicted for their involvement in the Villarica trafficking case of Lurde Resquin to Spain. That conviction was overturned on appeal in April 2005 by a vote of 2-1 on the grounds that the defendants should be tried in Spain where the trafficked woman suffered the ultimate effects of the crime. This decision is pending final resolution by the Supreme Court's Penal Court in the near future.

¶3. (SBU) The DCM explained that the Villarica conviction represented the first conviction of defendants in Paraguay on trafficking charges, reflecting well on Paraguay and contributing to its upgrade from the Tier 2 Watch List. However, the decision to overturn this conviction on appeal conversely reflects poorly on Paraguay and sends an unhelpful message about Paraguay's commitment to combat trafficking. The DCM stressed that it could also affect Paraguay's Tier status. Mr. Candia replied that he would look into the case.

¶4. (SBU) In addition, Post has twice conveyed these concerns to Supreme Court Judge Pucheta who is President of the Criminal Sala as well as to Teresa Martinez, a prosecutor who is the point person on trafficking cases. We have encouraged GOP officials to do what they can to ensure charges are reinstated and that Paraguay pursues aggressive prosecution of other cases. Post will continue to communicate TIP Action Plan points with other governmental agencies with TIP responsibilities.

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